IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 111 of 2007

Date of Decision : 09.01.2007

Gurmeet Kaur

... Petitioner

Versus

The State of Punjab and others.

... Respondents

CORAM : Hon'ble Mr. Justice J.S. Khehar,
Hon'ble Mr. Justice S.D. Anand

Present : Mr. R.K. Arora, Advocate,
for the petitioner.

J.S. Khehar, J. (Oral)

Learned counsel for the petitioner states, that the petitioner has not been granted proficiency step up under the Assured Career Progression Scheme, despite the fact that the petitioner qualifies for the same. It is, therefore, that the petitioner after having issued a number of representations, submitted a legal notice dated 26.10.2006 (Annexure P/8), requiring the respondents to determine the claim of the petitioner under the afore-stated scheme. Despite thereof, it is submitted that no decision on the issue has been taken by the respondents.

Learned counsel for the petitioner states, that the petitioner will be satisfied, if the instant writ petition is disposed of, with a direction to respondent No.3 i.e. the District Education Officer (Elementary Education), Faridkot, requiring him to take a final decision on the legal notice dated

26.10.2006 (Annexure P/8).

Notice of motion.

On our asking, Mr. Ashok Aggarwal, Additional Advocate General, Punjab, accepts notice on behalf of respondent Nos. 1 to 4. Learned counsel for the respondents states that he has no objection if the instant writ petition is disposed of in terms of the prayer made by the learned counsel for the petitioner.

In view of the above, without going into the merits of the claim raised by the petitioner, we consider it just and appropriate to dispose of the instant writ petition, with a direction to respondent No. 3 i.e. the District Education Officer (Elementary Education), Faridkot, to take a final decision on the legal notice dated 26.10.2006 (Annexure P/8) by passing a well reasoned speaking order, within two months from the date of receipt of the certified copy of this order. In case, the petitioner is found entitled to any monetary benefits, the same shall be calculated and released to the petitioner within a further period of one month. It is, however, clarified that the petitioner will be entitled to arrears limited to period of three years and two months before the filing of the instant writ petition. It is also clarified that the instant writ petition was filed on 8.1.2007.

Disposed of accordingly.

Order dasti on payment of usual charges.

(J.S. Khehar)
Judge

January 09, 2007 (S.D. Anand)
vkd Judge